



## **United States Mission to the OSCE**

### **FREEDOM OF THOUGHT, CONSCIENCE, RELIGION OR BELIEF**

#### **Statement of Ms. Janet Mayland U.S. Delegation to the OSCE Implementation Meeting October 7, 2003**

Introduction by Ambassador Pamela Hyde Smith:

*Mr. Moderator, the U.S. Government views the issue of international religious freedom as being so important that we have created a special office within the State Department's Bureau of Democracy, Human Rights and Labor responsible for this issue. John Hanford, Ambassador-at-Large for International Religious Freedom, heads that office and, although he was unable to attend this conference today, he has sent Ms. Janet Mayland as his representative. I would like to ask Ms. Mayland to make our next intervention.*

Ms. Janet Mayland:

Mr. Moderator, the United States first wants to thank the Chair-in-Office for holding the July Supplementary Human Dimension Meeting on Freedom of Religion. Problems in fully implementing our OSCE commitments in this regard affect OSCE participating States from all geographical regions. Limits on religious freedom often take the form of burdensome registration requirements that hinder, instead of facilitating, religious freedom. In addition, alleged state security concerns are often cited to justify disproportionate limitations on this right; some states even imprison and torture persons on account of their religious beliefs.

Contrary to our OSCE commitment to "favorably consider applications by religious communities of believers practicing or prepared to practice their faith...", impossible registration requirements, such as in Turkmenistan, deny persons the right to practice their religion. No registration requirement should prevent individuals from practicing their faith.

In Turkmenistan, religious communities face difficulty meeting the registration requirement of 500 members in each locale. Unregistered groups are denied permission to meet publicly and are forced to operate secretly under the threat of harsh reprisals, such as home raids, imprisonment, deportation, internal exile and house eviction. The two registered religious groups, the Russian Orthodox Church and the Sunni Muslim community, are under strict state control, and members are punished if they dare to speak out. Other Muslim groups and non-Orthodox Christians are unable to register. Even two religious organizations that meet the 500-person registration requirement have been unable to register. The decision to make the president's "spiritual guidebook" required reading for students is also of concern, because it allows the state to influence schoolchildren's religious beliefs. We regret that Turkmenistan falls far short of relevant OSCE commitments in this regard.

As we noted at last year's Human Dimension Implementation Meeting, the Uzbek Government continues to incarcerate up to 6,200 individuals for allegedly being extremists or members of the Hizb ut-Tahrir, a group that seeks to replace the Government of Uzbekistan (and other governments) with a worldwide Muslim Caliphate. Many observant Muslims who pray five times a day live in fear that they will be detained or arrested as suspected members of Hizb' ut-Tahrir. If arrested, they may be subject to physical abuse, including torture. Limitations on religious freedom also include banning proselytizing or unauthorized teaching of religion and burdensome registration requirements that prevent legitimate activity. On at least two separate occasions over the last year, Uzbek authorities jailed individuals belonging to non-Muslim groups for simply meeting together for worship. In another instance, seized religious literature was burned, contrary to Uzbekistan's Vienna commitment to allow religious faiths "to produce, import and disseminate religious publications and materials." The United States is very concerned about the lack of improvement in Uzbekistan's religious freedom record, despite repeated government promises to reform, and urges

authorities to bring government policy and practice into conformity with OSCE commitments and to implement the recommendations of the OSCE panel of experts regarding the law on religion.

Throughout Central Asia, government authorities act against Muslim groups allegedly involved in anti-state activities. This has a negative effect on religious freedom for Muslims simply wanting to peacefully practice their faith. Mosques and Islamic schools have been closed in Turkmenistan, Uzbekistan, Tajikistan and Kyrgyzstan. Non-Muslim groups, especially ethnic-indigenous Christians, have also been prosecuted or fined for legitimate religious activity in Tajikistan. Non-Muslim groups have encountered difficulties registering with the Kyrgyz government. Such persecution is waning in Kazakhstan, where the President has been active in the public promotion of religious tolerance.

The Caucasus region is also a concern. The Republic of Georgia is highly problematic, as vigilante violence against minority religious communities continues to occur without any serious government effort to arrest the perpetrators. During the summer a Baptist church was burned down, Pentecostal church services were blocked repeatedly by a mob, and local police prevented Jehovah's Witnesses in two cities from meeting. The government's inability or unwillingness to end the violent attacks and harassment is deeply troubling, despite repeated statements by President Shevardnadze condemning such action. Georgian authorities must do more to end the violence against minority religious communities and punish those responsible.

In Azerbaijan, 2003 saw a slight improvement in respect for religious freedom. Several religious groups have indicated that they have either received or expect to receive soon their registration, that they can import religious literature, and that they meet without Government interference. On the other hand, other religious groups experienced delays and denials of registration; "nontraditional" religious groups received local harassment; and some services were monitored and some literature was confiscated. Only half of the religious bodies registered under the old law have successfully reregistered under the new law. Both the State Committee for Religious Affairs and the Muslim Spiritual Directorate interfere with the ability of Muslim communities to name imams, and insist not only on verifying "qualifications" of clerics before granting approval, but also on monitoring Friday prayers. On March 9, the largest synagogue in the Caucasus opened in Baku in the presence of high Government officials, Muslim, Christian and Jewish leaders in Azerbaijan, and international envoys. The construction and opening of this synagogue is a landmark example of Government respect of religious freedom and inter-religious cooperation.

Over the past year, Turkey has taken steps to bring its legal system regarding religious freedom into conformity with OSCE commitments. While we applaud this effort, we are concerned that Turkey's system of regulating religious groups remains problematic. The Government's strict control of Islamic teaching and practice, its ban on head scarfs in public institutions, its continued closure of the Halki Seminary, and its efforts to seize church land under the pretext of maintaining cultural sites all contravene Turkey's OSCE commitments. In addition, while reforms now allow non-Muslim religious groups to build churches and buy property, groups unable to afford such an undertaking cannot meet in other locations, such as private homes. Court cases against non-Muslim groups merely wishing to worship together in private apartments continue to move forward. We urge the Government of Turkey to address these issues and to continue the process of instituting needed reforms.

In Belarus, the passing of a restrictive new religion law, the enactment of an accord between the government and the Russian Orthodox Church, and the new law on rallies and demonstrations have led to a serious deterioration in religious freedom. The new law on religion raises nearly insurmountable barriers to the entry of new faiths and the right of adherents to such faiths to express their religious beliefs. Since the new law came into force, police have reportedly raided religious meetings and issued warnings and fines. Some groups have experienced violence from the authorities. It is feared the accord with the Orthodox Church will result in greater discrimination and harassment of other religions, as it increases the Orthodox Church's influence over numerous areas of public life.

While many Russians enjoy religious freedom, reports continue to arise of local authorities harassing or prosecuting minority religious groups in Moscow and elsewhere in Russia. In some cities, Muslims and other minority religious communities have reportedly been barred from building places of worship and from even holding services in rented facilities. On August 29, 2003, police in the town of Liski, Voronezh region broke up an anti-drug event organized by local Evangelical Christians and beat some of the participants.

Furthermore, there have been more than 30 reported cases reported so far this year of foreign religious workers, including Catholics and Protestants, having their visas summarily denied or canceled. Also of concern is the steady increase of formal and informal agreements between the Russian Orthodox Church and various state organs, which give privileges to that community not enjoyed by other groups.

While freedom of religion and belief are respected in the Czech Republic, Austria and the Slovak Republic, we are concerned that their registration policies, if used as a modeled by OSCE participating States that do not have long-standing democratic practices, could lead to the development of laws that are implemented in a restrictive and discriminating manner toward minority religions..

A new religion law in Bulgaria requires all religious groups to register with the exemption of one of the two existing Orthodox Churches. All other churches are to register with the Sofia Municipal Court before practicing their beliefs in public. There is no provision for recognition of the second “break-away” Orthodox Church in the legislation. The new religion law dealing with the process of registration neither specifies the criteria for granting registration, nor the grounds for denying it. The religion law does not address the consequences of failure to register as a religious community and gives no recourse if registration is attempted and denied. We hope that the Bulgarian Government will move swiftly to address these shortcomings in its new law.

Finally, it should be mentioned that some democratic states in Western Europe continue to implement policies that have resulted in the stigmatization of minority religions, usually as a consequence of their having been indiscriminately – and often inaccurately – identified with dangerous “sects” or “cults.” These policies are particularly troubling given that other nations struggling through democracy, as well as certain non-democratic states, are adopting similar “anti-cult” laws and policies and pointing to the practices in Western Europe as justification.

In closing, the United States would look favorably upon a new OSCE commitment addressing the problem of discriminatory registration policies, and would like to see a review of OSCE commitments to address this gap. ODIHR can play a crucial role in helping States meet their OSCE religious freedom commitments. In this regard, we urge ODIHR to increase its monitoring and reporting on violations of OSCE commitments of thought, conscience, religion or belief. We also urge OSCE participating States to react promptly and in a manner consistent with the rule of law to violations of OSCE freedom of religion commitments, and to take measures to prevent violations.